IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 913 OF 2005

Dr. Mukul Vijay Dabholkar .. Appellant

Vs.

The Municipal Corporation of Gr. Mumbai and ors. .. Respondents

Mr. N.V. Gangal for the Appellant.
Mr. D.H. Mehta with Ms. Swati Patrawala i/by Divya Shah & Associates for Respondent Nos.2 to 7.

CORAM: B.H. MARLAPALLE, J.

Date : October 05, 2005.

P.C.:

1. The appellant, who is running a clinic for Cosmetic Dentist in the notice premises, has placed on record an undertaking stating that he himself would take steps to demolish the additional structure i.e. 4’ 6" x 20’ 3" so as to bring the original structure to the size of 10’ x 20’ 3" which is equivalent to an area of 202.6 sq.ft. The appellant has prayed for six weeks time to demolish the said structure.

2. The undertaking is accepted and it is directed that the appellant shall take steps to demolish the notice structures within a period of four weeks from

today. In case he fails to do so, the respondent-Corporation is at liberty to take appropriate steps in that regard after four weeks.

3. This order is without prejudice to the rights of the respondents in respect of the original structure.

4. Appeal is disposed off in terms of above order.

(B.H. Marlapalle,J.)